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FILED/ACCEPTED
JUN 20 2007
Federal Communications Commission
Office of the Secretary

June 20, 2007

Marlene Dortch
Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

via Hand Delivery

Re: In the Matter of City of Tacoma, d/b/a Click! Network ("the City")
Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1)

Motion to Withdraw

CSR-7141-Z, CS Docket No. 97-80

Dear Ms. Dortch:

We enclose five copies of the City's *Motion to Withdraw its Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1)*. We also enclose an additional copy of this letter and ask that you date-stamp it and return it to the messenger.

Please contact me if you have any questions regarding this matter.

Sincerely,


Megan Petrucci

cc (via email): Monica Desai
Michelle Carey
John Norton
Brendan Murray
Andrew Long

No. of Copies rec'd 0+4
List ABCDE

**Before the
Federal Communications Commission
Washington, D.C. 20554**

FILED/ACCEPTED

JUN 20 2007

Federal Communications Commission
Office of the Secretary

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|-------------------------------------|---|------------|
| In the Matter of: |) | |
| |) | |
| City of Tacoma d/b/a Click! Network |) | CS 97-80 |
| Emergency Petition for Waiver of |) | CSR-7141-Z |
| 47 C.F.R. § 76.1204(a)(1) |) | |
| |) | |
| To: Chief, Media Bureau |) | |

**MOTION TO WITHDRAW
EMERGENCY PETITION FOR WAIVER OF 47 C.F.R. § 76.1204(a)(1)**

The City of Tacoma d/b/a Click! Network ("the City") files this motion to withdraw its *Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1)* ("*Emergency Petition*") because the City will no longer be able to meet the digital conversion commitments made in its *Emergency Petition* even if its *Emergency Petition* is granted before the July 1, 2007 integration ban becomes effective.

1. On March 7, 2007, the City filed its *Emergency Petition*.
2. In its *Emergency Petition*, the City committed to converting all but its Lifeline subscribers to all-digital services by October 31, 2008.
3. The City's *Emergency Petition* explained that time was of the essence because of the City's budgetary constraints. In short, the City's ability to complete its digital transition hinged on the City using Motorola DCT-700 set-top boxes, the lowest-cost digital set-top boxes currently available. This is because the lowest-cost CableCARD-compatible digital set-top box (the Motorola DCH100) will cost the City at least \$150 more per unit than the Motorola DCT-700, and the City

does not have enough money in its budget to complete its digital transition using the Motorola DCH100.

4. The *Emergency Petition* went on Public Notice on April 13, 2007.
5. The Commission has not yet issued an order granting or denying the *Emergency Petition*.
6. In the meantime, the City has exhausted the DCT-700 set-top boxes in its inventory. Because its *Emergency Petition* is still pending, the City is unable to order from Motorola, or deploy, new DCT-700 set-top boxes to complete its digital transition.
7. Because the July 1, 2007 integration ban is less than two weeks away and the City's set-top box inventory is depleted, the City will now have to order CableCARD-compatible boxes if it is to continue to deploying digital services to its subscribers.
8. The additional cost for CableCARD-compatible Motorola DCH100 set-top boxes will exhaust the funds in the City's budget for its digital transition, and it will be at least March 2009 before the City can secure additional funds so that it can order enough set-top boxes to complete its digital transition.
9. In short, time has run out for the City and it is no longer able to meet the commitments made in its *Emergency Petition*.
10. For the reasons above, the City respectfully requests to withdraw its *Emergency Petition*.

The undersigned has read this *Motion* and to the best of her knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law; and is not interposed for any improper purpose.

Respectfully submitted,



Nicole E. Paolini-Subramanya
Cinnamon Mueller
307 N. Michigan Avenue
Suite 1020
Chicago, IL 60601

(312) 372-3930

Attorneys for City of Tacoma d/b/a Click! Network

June 20, 2007

CERTIFICATE OF SERVICE

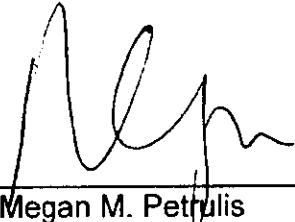
I, Megan M. Petrulis, paralegal with the law firm of Cinnamon Mueller, certify that a true and correct copy of the *Motion to Withdraw Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1)* was served on the following individuals by first class mail on June 20, 2007:

Julie M. Kearney
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Megan M. Petrulis